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12
13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 ELECTRONIC FRONTIER FOUNDATION,)

17 Plaintiff,)

18 v.)

19 DEPARTMENT OF COMMERCE,)

20 Defendant.)

Case No. 3:12-cv-3683-TEH

21 **STIPULATED REQUEST AND**
22 **~~PROPOSED~~ ORDER FOR**
23 **CONTINUANCE OF SUMMARY**
24 **JUDGMENT HEARING DATE**

25 Date: May 20, 2013

26 Time: 10:00 a.m.

27 Place: Courtroom 2, 17th Floor

28 Judge: Hon. Thelton E. Henderson

1 Plaintiff Electronic Frontier Foundation and Defendant Department of Commerce
 2 respectfully submit the following Stipulated Request and Proposed Order continuing the hearing
 3 date on the parties' cross-motions for summary judgment until June 10, 2013. Good cause exists
 4 for this Stipulated Request as follows:

5 1. The hearing on the parties' cross-motion was scheduled for May 6, 2013. Due to
 6 illness of Defendant's counsel (ECF No. 29) and the Court's own continuance (ECF No. 32), the
 7 hearing is currently scheduled for May 20, 2013.

8 2. Due to a previously scheduled conflict, Plaintiff's counsel is unavailable on May 20,
 9 2013. May 27, 2013 is a federal holiday. Neither Plaintiff's nor Defendant's counsel are available
 10 on June 3, 2013.

11 3. Therefore, the parties stipulate that the hearing date be continued until June 10,
 12 2013.

13 4. Granting this Stipulated Request will not alter or extend any other dates or deadlines
 14 currently pending in this matter.

15 WHEREFORE, the parties respectfully request that the Court grant this Stipulated Request
 16 and continue the hearing date on the parties' cross-motions until June 10, 2013.

17 Respectfully submitted,

18 DATED: May 15, 2013

19 /s/ Mark Rumold
 20 MARK RUMOLD
 21 Electronic Frontier Foundation
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 23 San Francisco, CA 94109
 24 Telephone: (415) 436-9333
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26 *Counsel for Plaintiff*

27 DATED: May 15, 2013

28 MELINDA HAAG
 United States Attorney
 ALEX G. TSE
 Chief, Civil Division
/s/ Victoria Carradero (with permission)
 VICTORIA CARRADERO
 Assistant United States Attorney
 450 Golden Gate Ave, Box 36055
 San Francisco, CA 94102

Counsel for Defendant

DECLARATION PURSUANT TO LOCAL RULE 5-1

I, Mark Rumold, attest that I have obtained the concurrence of Victoria Carradero, Counsel for Defendant, in the filing of this document.

Executed on May 15, 2013, in San Francisco, California.

/s/ Mark Rumold

Mark Rumold

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The hearing date for the parties' cross-motions for summary judgment is continued until June 10, 2013.

DATED: 05/15/2013

